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CLERK OF DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
February 2009 Grand Jury

CR09-00617

UNITED STATES OF AMERICA,

Plaintiff,

v.

NAKOULA BASSELEY NAKOULA,

aka "Mark Basseley Youssef,"

aka "Yousseff M. Basseley,"

aka "Nicola Bacily,"

aka "Malid Ahlawi,"

Defendant.

) No. CR 09-

) I N D I C T M E N T

) [18 U.S.C. § 1344: Bank Fraud;

) 18 U.S.C. § 1029(a)(3):

) Possession of 15 or More

) Unauthorized Access Devices;

) 18 U.S.C. § 1028(a)(3), (c)(1):

) Possession With Unlawful Intent

) of 5 or More Identification

) Documents; 42 U.S.C.

) § 408(a)(7)(B): False

) Representation of Social

) Security Number; 18 U.S.C.

) § 2(b): Causing an Act To Be

) Done]

The Grand Jury charges:

COUNTS ONE THROUGH THREE

[18 U.S.C. §§ 1344; 2(b)]

A. INTRODUCTION

1. On or about June 18, 2009, defendant NAKOULA BASSELEY NAKOULA ("NAKOULA"), also known as ("aka") "Mark Basseley Youssef," aka "Yousseff M. Basseley," aka "Nicola Bacily," aka

Asul 130k

1 "Malid Ahlawi," resided in Cerritos, California, and, along with
2 one or more co-schemers known and unknown to the Grand Jury,
3 maintained one or more offices in Norwalk, California.

4 2. At all times relevant to this Indictment, Wells Fargo
5 Bank was a federally-insured financial institution.

6 B. THE FRAUDULENT SCHEME

7 3. Beginning no later than in or about March 2008, and
8 continuing through in or about November 2008, in Los Angeles
9 County, within the Central District of California, and elsewhere,
10 defendant NAKOULA, together with other co-schemers known and
11 unknown to the Grand Jury, knowingly and with intent to defraud,
12 executed and attempted to execute a scheme to defraud Wells Fargo
13 Bank as to material matters, and to obtain monies, funds, and
14 other property owned by and in the custody and control of Wells
15 Fargo Bank by means of material false and fraudulent pretenses,
16 representations, and promises, and the concealment of material
17 facts.

18 4. The fraudulent scheme operated, in substance, in the
19 following manner:

20 a. Defendant NAKOULA and/or one or more co-schemers
21 fraudulently applied for and opened bank accounts at Wells Fargo
22 Bank using the names of other persons and social security numbers
23 that, as defendant NAKOULA well knew, were issued neither in
24 NAKOULA's name nor in the names used to open the Wells Fargo bank
25 accounts.

26 b. Defendant NAKOULA and/or one or more co-schemers
27 made deposits into the Wells Fargo Bank accounts using checks and
28 convenience checks from other bank and credit card accounts that

1 had been fraudulently opened using the names of other persons and
2 social security numbers that were issued neither in NAKOULA's
3 name nor in the names used to open the accounts.

4 c. Defendant NAKOULA deposited into the Wells Fargo
5 Bank accounts credit card convenience checks, including credit
6 card convenience checks issued from Capital One credit card
7 account XXXX-XXXX-XXXX-0512, even though the amount of the checks
8 exceeded the credit limit of the linked credit card.

9 d. Defendant NAKOULA and/or one or more co-schemers
10 depleted the available balances in the Wells Fargo Bank accounts
11 by making Automated Teller Machine ("ATM") withdrawals and
12 electronic bill payments.

13 e. The issuers of the credit card accounts to which
14 the convenience checks were linked thereafter refused to honor
15 many of the convenience checks, causing the Wells Fargo Bank
16 accounts to be overdrawn.

17 f. Defendant NAKOULA and his co-schemers failed to
18 repay Wells Fargo Bank for the overdrawn monies, and the accounts
19 were eventually closed with negative account balances.

20 C. THE EXECUTION OF THE SCHEME

21 5. On or about the following dates, within the Central
22 District of California and elsewhere, defendant NAKOULA committed
23 and willfully caused others to commit the following acts, each of
24 which constituted an execution and attempted execution of the
25 fraudulent scheme:

<u>COUNT</u>	<u>DATE</u>	<u>ACT</u>
ONE	10/04/2008	Withdrawal from Wells Fargo Bank account XXXXXX9869, in the name of "T.T.," of \$300.00 from an ATM located at 11732 Firestone Boulevard, Norwalk, California
TWO	10/06/2008	Withdrawal from Wells Fargo Bank account XXXXXX9869, in the name of "T.T.," of \$260.00 from an ATM located at 18712 S. Gridley Road, Cerritos, California
THREE	10/31/2008	Withdrawal from Wells Fargo Bank account XXXXXX6491, in the name of "A.H.," of \$300.00 at an ATM located at 1815 Artesia Boulevard, Artesia, California

COUNT FOUR

[18 U.S.C. § 1029(a)(3)]

6. The Grand Jury hereby realleges and incorporates by reference paragraph one of this Indictment, as though fully set forth herein.

7. On or about June 18, 2009, in Los Angeles County, within the Central District of California, and elsewhere, defendant NAKOULA, knowingly and with intent to defraud, possessed at least fifteen (15) unauthorized access devices as defined in Title 18, United States Code, Section 1029(e)(1) and (3), namely, credit and debit cards in the names of other persons, with said possession affecting foreign and interstate commerce.

COUNT FIVE

[18 U.S.C. § 1028(a)(3), (c)(1)]

8. The Grand Jury hereby realleges and incorporates by reference paragraph one of this Indictment, as though fully set forth herein.

9. On or about June 18, 2009, in Los Angeles County, within the Central District of California, and elsewhere, defendant NAKOULA, knowingly and with intent to use unlawfully (to commit bank fraud in violation of Title 18, United States Code, Section 1344), possessed at least five (5) identification documents, as defined in Title 18, United States Code, Section 1028(d)(3), that were not issued lawfully for defendant NAKOULA's own use, namely, social security cards that were and appeared to be issued by and under the lawful authority of the United States.

COUNT SIX

[42 U.S.C. § 408(a)(7)(B)]

10. The Grand Jury hereby realleges and incorporates by reference paragraph one of this Indictment, as though fully set forth herein.

11. On or about March 17, 2008, in Los Angeles County, within the Central District of California, defendant NAKOULA, knowingly, and with intent to deceive, falsely represented XXX-XX-9087 to be the social security number assigned to another person by the Commissioner of Social Security, namely, "A.H.," when in truth and in fact, as defendant NAKOULA then well knew, that number was not the social security number assigned to "A.H."

A TRUE BILL

—S—
Foreperson

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